

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CRIMINAL MINUTES

Date: October 12, 2023 **Time:** 29 minutes **Judge:** WILLIAM H. ORRICK
2:38 p.m. to 3:07 p.m.

Case No.: [19-cr-00040-WHO-2](#) **Case Name:** UNITED STATES v. Ditman

Attorney for Plaintiff: Robert Leach
Attorney for Defendant: Angela Chuang
Defendant **Matthew Gene Ditman** – present, on bond

Deputy Clerk: Jean Davis
Interpreter: n/a

Court Reporter: Marla Knox
Probation Office: Monica Romero

Sentencing Hearing conducted.

Findings: The Court summarizes the materials reviewed in preparation for the sentencing; it is confirmed that Mr. Ditman's letter to the Court has been reviewed. Defense counsel confirms that there are no objections to the PSR to be taken up (the guideline provision for a "zero" criminal history which has not yet been formally adopted will be addressed through downward departure). Defense counsel confirms that she has reviewed the standard conditions of supervision with Mr. Ditmar and that there are no objections to those conditions. The government's motion for downward departure is granted. Government counsel rests on its written submissions and declines further comment. Defense counsel heard as to the §3553(a) factors. Mr. Ditman declines to be heard on his own behalf. Probation concurs with the government's recommendation of a non-custodial sentence. The parties discuss the appropriate length and jurisdiction of probation. Sentence is announced as indicated below. Counts 2, 3 and 4 of the Indictment are dismissed upon government motion. Mr. Ditman is advised of his limited appeal rights.

Judgment: Defendant is placed on Probation for a term of 3 years each as to Counts 1 and 5 of the Indictment, counts to run concurrently. While on probation the defendant must comply with the standard conditions in force in this District and additional special conditions. A Special Monetary Assessment of \$200.00 is imposed. Fine waived. Total Restitution of \$3,405,600.59 is imposed, payable to the victims itemized in the judgment, in monthly payments of \$250.00 per month or 10% of earnings, whichever is greater, to commence 60 days after commencement of probation. The accumulation of interest on the restitution amount is waived. The defendant's restitution obligation shall be paid jointly and severally with co-defendant Ahmad Wagaafe Hared and Anthony Francis Faulk (CR-19-00676-001 WHO). Defendant shall forfeit any interest in Bitcoin and Stellar Coins seized by the government on July 15, 2019.